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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GREGORY NORWOOD,
Plaintiff,
v.
NANGANAMA, et al.,
Defendant.

No. 2:09-cv-2929 JAM AC P

ORDER

On November 29, 2015,¹ plaintiff filed a motion for reconsideration of the magistrate judge’s order filed November 18, 2015, denying plaintiff’s motion for an expert witness (ECF No. 153). ECF No. 160. Pursuant to Federal Rule of Civil Procedure 72(a) and Local Rule 303(f),² a magistrate judge’s orders shall be upheld unless “clearly erroneous or contrary to law.” Upon review of the entire file, the court finds that it does not appear that the magistrate judge’s ruling was clearly erroneous or contrary to law.

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¹ Since plaintiff is proceeding pro se, he is afforded the benefit of the prison mailbox rule. See Houston v. Lack, 487 U.S. 266, 276 (1988).

² Plaintiff indicates that the motion is brought pursuant to Federal Rule of Civil Procedure 60(b). ECF No. 160. However, Rule 60(b) is for relief “from a final judgment, order, or proceeding.” The order denying plaintiff’s motion for an expert witness is not such an order.

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Therefore, IT IS HEREBY ORDERED that, upon reconsideration, the order of the
magistrate judge filed November 18, 2015 (ECF No. 153), is affirmed.

DATED: March 4, 2016

/s/ John A. Mendez

UNITED STATES DISTRICT COURT JUDGE